

REMARKS

Claims 1-10, 12-20, 22-47 and 49-57 are pending in the application. Claims 1-8, 10, 12-20, 22-47 and 49-56 are allowed. Claims 9 and 57 stand rejected. Claim 57 has been amended. Claims 1-10, 12-20, 22-47 and 49-57 remain in the application.

Claims 57 and 9 stand rejected under 35 U.S.C. 103(a) as being unpatentable over (USPN 5,714,753 to Park). The rejection stated:

"In regards to claim 57 Park discloses an image capture system for generating an extended effective dynamic range from a signal provided by an image sensor, said image capture system comprising:

"an image sensing device having a uniform two-dimensional array of photosites, including standard photosites with a predetermined response to a light exposure and non-standard photosites with a predetermined response to the same light exposure (e.g., Fig. 3);

"an optical section exposing the image sensing device to image light, thereby causing the image sensing device to generate an image signal (e.g., the optical section is inherent with an image sensor, further, note the disclosure of the microlenses on column 2, lines 54-57); and

"a processing section expanding the response of the standard photosites to increased light exposures by utilizing the image signals from neighboring non-standard photosites and expanding the response for the non-standard photosites to decreased light exposure by utilizing the image signals from neighboring standard photosites (e.g., column 3, lines 5-48).

"Park does not disclose nor preclude that said image sensing device having a color filter array of at least three different colors overlying said photosites, said standard and non-standard photosites being associated with each of said colors.

"Examiner notes that it is extremely well known in the art to provide a color filter so as to produce a color image. Official notice is taken. Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to have added a color filter to Park's invention in order to generate a color image. Examiner further notes that

it is extremely well known to use a Bayer color filter so as to generate more data for the green color plane. Official notice is taken. Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to have used a Bayer color filter in order to generate more data for the green color plane. Examiner notes that in applying the Bayer color filter to Park's invention the standard and non-standard photosites would be associated with each of said colors.

"In regard to claim 9 Examiner notes with Park's invention having a color filter the neighboring non-standard photosites are of the same color as standard photosites being processed by the processing section."

Claim 57 has been amended to require:

"a processing section having expanding and normal modes, said processing section in said expanding mode expanding the response of the standard photosites to increased light exposures by utilizing the image signals from neighboring non-standard photosites and expanding the response of the non-standard photosites to decreased light exposures by utilizing the image signals from neighboring standard photosites, said responses being free of said expanding in said normal mode."

The changed language is supported by the application as filed, in the same manner as Claims 1 and 23 and is allowable on the same basis as Claims 1 and 23.

Claim 9 is allowable as depending from Claim 57.

It is believed that these changes now make the claims clear and definite and, if there are any problems with these changes, Applicants' attorney would appreciate a telephone call.

In view of the foregoing, it is believed none of the references, taken singly or in combination, disclose the claimed invention. Accordingly, this application is believed to be in condition for allowance, the notice of which is respectfully requested.

Respectfully submitted,



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If the Examiner is unable to reach the Applicant(s) Attorney at the telephone number provided, the Examiner is requested to communicate with Eastman Kodak Company Patent Operations at (585) 477-4656.